

HOUSE BILL 106
EMERGENCY BILL

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P1

2003 Regular Session
(31r0904)

ENROLLED BILL
-- Health and Government Operations/Finance --

Introduced by Delegates Harrison and Rawlings, Rawlings, Hurson, Hammen, Rudolph, Oaks, Murray, Costa, Benson, Bates, Mandel, McDonough, Redmer, Goldwater, Morhaim, Nathan-Pulliam, Elliott, Hubbard, Pendergrass, Weldon, Bromwell, Haynes, Smigiel, Donoghue, V. Turner, and Boutin

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Maryland African American Museum Corporation - Board of Directors -**
3 **New Members**

4 FOR the purpose of altering the number of members of the Maryland African
5 American Museum Corporation Board of Directors; *authorizing the Governor to*
6 *appoint to the Board of Directors up to a certain number of members from outside*
7 *the State under certain circumstances*; establishing certain criteria for a quorum
8 at board meetings; providing for certain terms; *making this Act an emergency*
9 *measure*; and generally relating to new members of the Maryland African
10 American Museum Corporation Board of Directors.

11 BY repealing and reenacting, with amendments,
12 Article 41 - Governor - Executive and Administrative Departments

1 Section 20-102(c) and (d)
2 Annotated Code of Maryland
3 (1997 Replacement Volume and 2002 Supplement)

4 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
5 MARYLAND, That the Laws of Maryland read as follows:

6 **Article 41 - Governor - Executive and Administrative Departments**

7 20-102.

8 (c) (1) The Board of Directors of the Corporation shall manage the affairs of
9 the Corporation and shall exercise all of its corporate powers.

10 (2) The Board of Directors shall consist of [32] 37 members, as follows:

11 (i) The Mayor of Baltimore or the Mayor's designee serving ex
12 officio;

13 (ii) One representative of Morgan State University, approved by the
14 Board of Regents of the University and appointed by the Governor;

15 (iii) The Chairman of the Commission on African American History
16 and Culture or the Chairman's designee, and two other Commission members
17 approved by the Commission, all appointed by the Governor, in order to provide
18 continuing coordination and cooperation between the Corporation and the
19 Commission and to assure consistency with the statewide programs and mandates of
20 the Commission;

21 (iv) Four representatives of African American historical or cultural
22 institutions in the State, appointed by the Governor; and

23 (v) [Twenty-three] TWENTY-EIGHT members, appointed by the
24 Governor, who have expertise in African American history, culture, museums, or
25 related areas, have expertise in fund raising, or represent the diversity of
26 communities throughout the State that can benefit from the activities of the
27 Corporation.

28 (3) (I) ~~The~~ SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH,
29 THE members appointed to the Board shall represent the geographic makeup of the
30 State, and shall be racially and ethnically diverse.

31 (II) THE GOVERNOR MAY APPOINT TO THE BOARD UP TO FIVE
32 MEMBERS FROM OUTSIDE THE STATE IF NECESSARY TO ENSURE THAT THE
33 MEMBERSHIP OF THE BOARD SATISFIES THE REQUIREMENTS SPECIFIED IN
34 PARAGRAPH (2)(V) OF THIS SUBSECTION.

35 (4) The members of the Board shall serve without compensation.

1 (5) The term of a member of the Board, excluding the ex officio member,
2 is 4 years.

3 (6) Before taking office, each appointee to the Board shall take the oath
4 required by Article I, § 9 of the Maryland Constitution.

5 (7) The terms of members are staggered AS REQUIRED BY THE TERMS
6 PROVIDED FOR MEMBERS OF THE BOARD ON JULY 1, 1998 ~~AND JULY 1, 2003~~ AND, IN
7 2003, THE DATE ON WHICH THE INCREASE IN THE MEMBERSHIP OF THE BOARD
8 FROM 32 TO 37 MEMBERS TAKES EFFECT.

9 (8) At the end of a term, a member continues to serve until a successor is
10 appointed and qualifies.

11 (9) A member who is appointed after a term has begun serves only for
12 the remainder of the term and until a successor is appointed and qualifies.

13 (d) (1) The Board shall elect one of its members as chairman, one as vice
14 chairman, and one as treasurer.

15 (2) [Seventeen members of the Board constitute a quorum, but action
16 may not be taken by less than the vote of nine members] A MAJORITY OF THE
17 MEMBERS OF THE BOARD THEN SERVING CONSTITUTE A QUORUM.

18 (3) A vacancy in the membership of the Board of Directors does not
19 impair the right of a quorum of the Board of Directors to exercise all rights and
20 perform all the duties of the Corporation.

21 (4) The Board shall appoint an executive committee and may appoint
22 such other committees as the Board deems necessary or desirable.

23 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the
24 individuals initially serving on the Board of Directors in new positions established by
25 this Act shall expire as follows:

26 (1) two members in 2004;

27 (2) two members in 2005; and

28 (3) one member in 2006.

29 SECTION 3. AND BE IT FURTHER ENACTED, That this Act ~~shall take effect~~
30 ~~July 1, 2003~~ is an emergency measure, is necessary for the immediate preservation of
31 the public health or safety, has been passed by a yea and nay vote supported by
32 three-fifths of all the members elected to each of the two Houses of the General
33 Assembly, and shall take effect from the date it is enacted.

